

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
SPECTRA MEDICAL DEVICES, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 22-cv-11796-ADB
	)	
ANTHONY CHARLES ARRIGO,	)	
ANTHONY EDWARD ARRIGO and	)	
ARRIGO MEDICAL, LLC	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANTS' MOTION TO COMPEL**  
**FORMER DEFENDANT AGUSTIN TURRIZA TO COMPLY**  
**WITH DOCUMENT SUBPOENA AND REQUEST FOR**  
**AWARD OF ATTORNEYS' FEES**

In accordance with Fed. R. Civ. P 37, Defendants Anthony Charles Arrigo, Anthony Edward Arrigo and Arrigo Medical, LLC ("Arrigo Defendants") respectfully request that the Court order former defendant Agustin Turriza to comply in all respects with the Subpoena Duces Tecum served upon him on November 15, 2022. A copy of the Subpoena is attached hereto as Exhibit A. To date, Mr. Turriza has failed and refused to produce a single document in response to the Subpoena. The Arrigo Defendants likewise request that the Court order Mr. Turriza to pay the Arrigo Defendants attorneys' fees incurred in connection with the filing of their Motion to Compel. As further grounds therefore, the Arrigo Defendants respectfully refer the Court to the accompanying memorandum of law.

WHEREFORE, Defendants Anthony Charles Arrigo, Anthony Edward Arrigo and Arrigo Medical, LLC request that the Court order Austin Turriza to comply in all respects with

the Subpoena attached hereto as Exhibit A and to pay the Arrigo Defendants attorneys' fees incurred in connection with the filing of their Motion to Compel.

Respectfully submitted,

ANTHONY EDWARD ARRIGO  
ANTHONY CHARLES ARRIGO and ARRIGO  
MEDICAL, LLC

By their attorneys,

/s/ Bradley L. Croft

Bradley L. Croft (BBO #633347)

Roger L. Smerage (BBO #675388)

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Dated: December 2, 2022

**CERTIFICATE OF SERVICE**

I, David H. Rich, hereby certify that on this 2<sup>nd</sup> day of December 2022, the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and copies will be sent by email or U.S. Mail to those indicated as non-registered participants.

  
David H. Rich, Esq.

**LOCAL RULE 7.1 CERTIFICATE OF COMPLIANCE**

I, David H. Rich, hereby certify that I have attempted in good faith to communicate with Mr. Turriza's counsel about the matters raised in the present motion. Specifically, I spoke with Mr. Turriza's counsel Stephen Riden by telephone on November 28, 2022. Attorney Riden made clear during our call that his client did not intend to produce any documents in response to the subpoena.

Date: December 2, 2022

  
David H. Rich (BBO # 634275)